

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICHARD GRANDE,

Petitioner,

v.

GEORGE W. PATRICK, et al.,

Respondents.

Civil Action No. 06-190 Erie

**MEMORANDUM ORDER**

This petition for writ of habeas corpus was received by the Clerk of Court on August 21, 2006, and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Chief Magistrate Judge's Report and Recommendation, filed on September 26, 2007 [16], recommends that the petition for writ of habeas corpus be denied and that a certificate of appealability be denied. The parties were allowed ten (10) days from the date of service in which to file objections. Service was made on Petitioner by certified mail at SCI Houtzdale, where he is incarcerated, and on Respondents. Petitioner filed his objections [18] on November 19, 2007. After de novo review of the petition and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 20<sup>th</sup> Day of November, 2007;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus be and hereby is DENIED and a certificate of appealability is DENIED.

The Report and Recommendation of Chief Magistrate Judge Baxter, filed on September 26, 2007 [16] is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
SEAN J. McLAUGHLIN  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, Chief U.S. Magistrate Judge